

REMARKS

The allowance of Claims 1-28, 30, 31, 40-46, 49, 50, 54-58, 61 and 62 is acknowledged with appreciation.

Statement of the Substance of the Interview

On July 13, 2004, Applicant's counsel met with the Examiner to discuss the contents of the office action dated May 5, 2004. The interview began with a demonstration of a preferred embodiment of the invention. Rejected claims 32 and 47 were then discussed in view of U.S. Patent 5,385,551. The Examiner clarified her rejection of claim 32 and recommended that language relating to the position of Figure 1 of the present reissue application be added to claim 32. The Examiner also clarified her rejection of claim 47 and recommended that language relating to a monolithic end cap be added to claim 47. Lastly, the Examiner recommended Applicant resend a Supplemental IDS that was mailed by Applicant on April 13, 2004. The Supplemental IDS was not present in the Examiner's file.

Claim Rejections – 35 U.S.C. § 102

Claims 32, 34, 47 and 51-53 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,385,551 to Shaw ("Shaw"). Applicant respectfully traverses this rejection and requests that it be reconsidered and withdrawn.

Claims 32 and 47 are amended herein to more particularly point out and distinctly claim the subject matter of this invention and to further define the invention over the structure disclosed in Shaw. As herein amended, claim 32 recites that a hollow movable member releaseably holds the retractably mounted needle in a pre-retraction position. Claim 47 is amended herein to recite that a cap is pivotably connected to the outer body to close the open end. Support for the amendments to claims 32 and 47 is found in the specification and drawings as originally filed. Claims 34 and 51-53 depend from claims 32 and 47, respectively, and are likewise rendered patentable by the amendments to claims 32 and 47.

All claims remaining in the application, including claims 35-39, are now believed to be in condition for allowance and patentable over the cited prior art. Withdrawal of the rejections and allowance of the application are therefore respectfully requested.

Although no fee is believed to be due for submission of this paper, the Commissioner is hereby authorized to charge any fee due to Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,



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